

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

Andre L. Kydala  
54 Old Highway 22  
Clinton NJ 08809

In Re:

Robert Aidelbaum

Case No.: \_\_\_\_\_18-20417\_\_\_\_\_

Judge: \_\_\_\_\_RG\_\_\_\_\_

Chapter: 13

**CHAPTER 13 DEBTOR=S CERTIFICATION IN OPPOSITION**

The debtor in this case opposes the following (**choose one**):

1. ☒ Motion for Relief from the Automatic Stay filed by \_Carisbrook holdings\_ , creditor,

A hearing has been scheduled for \_\_\_October 3 2018\_\_\_\_\_, at \_\_\_10:30\_\_\_\_\_.

- ☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☐ Certification of Default filed by \_\_\_\_\_,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (**choose one**):

- ☐ Payments have been made in the amount of \$ \_\_\_\_\_, but have not been accounted for. Documentation in support is attached.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

☒ Other (**explain your answer**):

- 1) I have made payments even before the entry of the court order for loss mitigation
- 2) I believe my monthly calculation of the loss mitigation payment is correct because Carisbrook in its affidavit has the wrong amount due for property taxes. They list approx. \$15,000.00 a year when actually since I bought the unit when they were being built my taxes are only \$1500.00 per year.
- 3) Finally I do not understand why my wife is being included in the order. There is no explanation why the stay is being vacated as to her.
- 4) I am 79 years old and my health has been very bad over the last 2 years. I was in the hospital almost one full year. I do have regular income from my state pension and social security of \$6,000.00 per month. I am just looking for a short modification to allow me to remain in my home until my passing.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: 9/26/2018

/s/ Robert Aidelbaum  
Debtor=s Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor=s Signature

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee=s Motion to Dismiss.

2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.

*rev.8/1/15*